



Economic & International Development Department

HISTORIC LANDMARK COMMISSION

SPECIAL MEETING MINUTES

**CITY 3 BUILDING, 801 TEXAS AVENUE, TROST CONFERENCE ROOM
JUNE 27, 2016, 4:00 P.M.**

Mayor

Oscar Leaser

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Peter Svarzbein

District 2

Jim Tolbert

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Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Claudia Ordaz

District 7

Lily Limón

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Cortney C. Niland

City Manager

Tommy Gonzalez

The El Paso Historic Landmark Commission held a public hearing in the City 3 Building, 801 Texas Avenue, Trost Conference Room, Basement, June 27, 2016, 4:00 p.m.

The following commissioners were present:

Chairman William Helm

Commissioner Joseph Longo

Commissioner Randy Brock

Commissioner Edgar Lopez

Commissioner George Córdova

Commissioner Melinda Skillern (arrived 4:24 p.m.)

The following City staff members were present:

Ms. Providencia Velázquez, Historic Preservation Officer, Economic & International Development

Mr. Juan Gonzalez, Assistant City Attorney, City Attorney's Office

Mr. Adam Train, Planner, Historic Preservation Office, Economic & International Development

MEMBER OF THE PUBLIC

Mr. Charles Stapler, member of the public and future Historic Landmark Commissioner, commented.

CALL TO ORDER

Chairman Helm called the meeting to order at 4:13 p.m., quorum present.

Other Business – Discussion and Action

1. Discussion and Action on revisions to the ordinance (Chapter 20.20).

Ms. Velázquez and commissioners purposed the following revisions to Chapter 20.20:

(Suggested revisions are noted in blue, bold, italics, underlined; ~~words in red, bold, italics, underline and struck through were deleted.~~)



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Section 20.20.020 – Definitions.

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- 3.b. “Alteration, major” an alteration shall be deemed to be “minor” if it is the kind of work which is customarily done without the aid of plans and which would not substantially change the external appearance of the building, site, or structure, and if new material added does not exceed one hundred square feet of floor area.
(See also #47) (see minutes from the June 16th HLC meeting)
47. “Substantial conformity” means the revisions to approved applications that do not significantly alter the historic character or alter additional physical elements of the structure as approved in the original application. (See also #3.b.)
24. “Historic interiors” means an architecturally or historically significant interior space which remain substantially intact in terms of: (1) original configuration, (2) original volume, and/or (3) original architectural ornamentation and decoration; which exhibit surviving original historical finishes or has the potential for accurate restoration of such finishes; and which is open, to be used by, or may be used by the public.
25. “Historic landmark” also referred to as an ‘H-overlay’ property, means those buildings, objects, sites or structures of historical, cultural, architectural or archaeological importance and whose demolition or destruction would constitute an irreplaceable loss to the quality and character of El Paso; certain inventoried interior spaces which are accessible to the public; such building, objects, sites or structures, their appurtenances, and the property which they are located, having been so designated by city council.
(See also #44)
44. “Significant historic landmark” means:
- a. Those buildings, objects, sites, site improvements, appurtenances or structure of the highest and most unique historical, cultural, architectural or archaeological importance whose demolition or destruction would constitute an irreplaceable loss to the quality and character of El Paso;
 - b. Inventoried interior spaces designed or intended to be occupied as part of the structure and which are accessible to the public; and
 - c. Significant historic landmarks are also referred to as landmarks in this chapter. (See also #25)
26. “Historic landmark commission (“HLC”) the commission appointed by the mayor and city council to assist in the preparation of the city’s historic preservation plan, to create and review guidelines for historic districts, to review and approve, approve with conditions or deny applications relating to historic properties and to perform other functions as delineated in Title 2.



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27. "Historic preservation program" city program under the direction of the city manager's office to encourage historic preservation through education, advocacy and incentives, and to oversee the application and enforcement process for historic properties.
28. "Historic preservation officer ("HPO") means the person or persons designated by the city manager for the City of El Paso to coordinate the historic preservation program; to review and administratively approve applications, refer violations as appropriate to the enforcement authorities and provide administrative staff support to the historic landmark commission. The HPO will coordinate the development and implementation of the historic preservation plan and the city's efforts to encourage participation in the plan.
29. "Historic preservation plan" is a supplement to the plan for El Paso relating to the preservation of historic properties.
30. "Intrusion" means a building, object, site or structure which detracts from a district's or cluster's historic significance because of its incompatibility with the district's or cluster's sense of time, place, and historic development; or its incompatibility of scale, materials, texture or color, whose integrity has been irretrievably lose; or whose physical deterioration or damage makes it infeasible to rehabilitate.
31. "Inventory" means a systematic listing of cultural, historical, architectural or archaeological resources prepared by a city, state or federal government, following standards set forth by federal, state and city regulations for evaluation of cultural properties.
32. "Landscape architectural feature" means the general arrangement of grounds including, but not limited to, the topographic grade water pooling and runoff, types and sites of constructions not otherwise deemed to be structures per se, such as fences, retaining walls, decks and other miscellaneous fixtures.
33. "Minor modification" means a change or changes to an approved application that is in substantial conformity with the national register of historic places maintained by the [Secretary of the Interior](#).

Ms. Velázquez will research definitions for "Minor modification" and "Substantial conformity" used in other city departments' codes.

Mr. Train asked Ms. Velázquez if there were definitions regarding plans and inspections i.e. threshold.



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34. "National Register" means the National Register of Historic Places maintained by the Secretary of the Interior has designated a national historic landmark.
35. "National historic landmark" means a historic property that the Secretary of the Interior has designated a national historic landmark.
36. "Contributing property" means a building, object, site or structure in an historic district which does not contribute to the district's or cluster's historical significance through location, design, setting, material, workmanship, feeling and association, but due to its proximity to historic landmarks and contributing properties, has the potential to affect the character of the historic district or cluster that it is located within.
37. "Object" means a material thing of functional, aesthetic, cultural, historical archaeological or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
38. "Ordinary repair and maintenance" means any work, the purpose and effect of which is to correct or prevent any deterioration or decay of or damage to a building, object or structure of any part thereof and to restore same, as nearly as may be practicable, to its condition prior to such deterioration, decay or damage, using the same materials or those materials which are, in appearance, as close as possible to the original.
39. "Reconstruction" means the act or process of reassembling, reproducing or replacing by new construction, the form, detail and appearance of a destroyed or vanished property and its setting as it appeared at a particular period of time by means of the removal of later workmanship, or by the replacement of missing earlier work, or by reuse of original materials.
40. "Rehabilitation" means the act or process of returning a building, object, site or structure to a state of utility through repair, remodeling or alteration that makes possible an efficient contemporary use while preserving those portions or features of the building, object, site or structure that are significant to its historical, architectural and cultural values.
41. "Relocation" means any change of the location of a building, object or structure in its present setting to another setting.
42. "Resource" means a source or collection of buildings, objects, sites, structures or areas that exemplify the cultural, social, economic political archaeological or architectural history of the nation, state or city.

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43. "Restoration" means the act or process of accurately recovering the form and details of a building, object, site or structure and its setting as it appeared at a particular period of time by means of the removal of later work or by the repair or replacement of missing earlier work.

44. "Significant historic landmark" means:

- a. Those buildings, objects, sites, site improvements, appurtenances or structure of the highest and most unique historical, cultural, architectural or archaeological importance whose demolition or destruction would constitute an irreplaceable loss to the quality and character of El Paso;
- b. Inventoried interior spaces designed or intended to be occupied as part of the structure and which are accessible to the public; and
- c. Significant historic landmarks are also referred to as landmarks in this chapter.

(see also #25)

25. "Historic landmark" also referred to as an 'H-overlay" property, means those buildings, objects, sites or structures of historical, cultural, architectural or archaeological importance and whose demolition or destruction would constitute an irreplaceable loss to the quality and character of El Paso; certain inventoried interior spaces which are accessible to the public; such building, objects, sites or structures, their appurtenances, and the property which they are located, having been so designated by city council.

45. "Site" means the location of significant event, a prehistoric or historic occupation or activity or a building, structure or cluster, whether standing, ruined or vanished, where the location itself maintains historic or archaeological value regardless of the value of any existing structure.

46. "Stabilization" means the act or process of applying measures designed to reestablish a weather-resistant enclosure or the structural stability of an unsafe or deteriorated building, object, site or structure while maintaining the essential form as it exists at present.



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3.b. "Alteration, minor" An alteration shall be deemed to be "minor" if it is the kind of work which is customarily done without the aid of plans and which would not substantially change the external appearance of the building, site, or structure, and if new material added does not exceed one hundred square feet of floor area. (See also #47)

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47. “Substantial conformity” means the revisions to approved applications that do not significantly alter the historic character or alter additional physical elements of the structure as approved in the original application. [*\(See also #3.b.\)*](#)

Mr. Train, Planner, Historic Preservation Office, Economic & International Development, asked Ms. Velázquez if there were definitions regarding plans and inspections definitions, i.e. threshold.

Ms. Velázquez would research the answer.

48. “Thematic group” means a finite group of resources related to one another in a clearly distinguishable way, by association with a single historic person, event or developmental force as one building type, design or use, as designed by a single architect, as a single archaeological site form, or as a particular set of archaeological research.
49. “Unreasonable economic hardship” means an economic burden imposed upon the owner which is unduly excessive and prevents a realization of a reasonable rate of return upon the value of his property.
50. “Vista” means a view through or along a right-of-way opening, including those along the river’s banks, which, as a view corridor, frames, highlights or accentuates a prominent building, object, site or structures; to include views of areas at a distance, such as a remote view of the downtown or the mountains.
51. “Zone” means a designated area, within an historic district, which is unique in character, tone, theme, architecture, and/or culture. A district may be divided into zones, to assist property owners and the HLC in structure design guidelines and further evaluating applications for certificates of appropriateness.

(Ord. 16653 § 2 (part), 2007)

(Ord. ~~No.~~ 17442, § 50, 10-26-2013)

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20.20.030 – Administration of the historic preservation program.

The historic preservation program will be administered under the direction of the city manager's office including appropriate staffing and administrative support of the program subject to budget appropriations approved and authorized by the city council (Verify if all city staff are subject to this). (Ord. 16653 § 2 (part, 2007) [\(See Chapter 2 of the code\)](#))



[EP Municipal Code - Chapter 2 - HLC 1](#) [Figure 1](#)

20.20.040 – Procedure for designation of historic landmarks and districts.

- A. The city council may designate buildings, structures, sites, districts, areas and lands in the city as historic landmarks and define, amend and delineate the boundaries thereof. Requests for designation may be made by the city council, HLC or by the public on a form obtained from the city. Completed request forms shall be returned to the city for processing. [Research owner consent as a requirement for designation \(needs further research\).](#)
- B. The HLC shall review and forward any recommendations to the city plan commission. In the event the HLC does not recommend an applicant's request for designation of a resource the applicant may petition the city plan commission for a hearing, following procedures set forth in [Chapter 2.08](#) of this Code.
- C. The HLC shall hold a public hearing on all proposed ordinances relating to historic properties. Notice shall be given as required by [Section 211.007, Texas Local Government Code](#)
- D. The designation of an historic landmark or historic district may be amended or removed using the same procedure provided in this section for the original designation.
- E. The suffix "H" shall appear after the zoning designation of those buildings, structures, sites, districts, areas and lands which the city council designates as historical landmarks, and shall be reflected on the zoning map. Such designation shall be in addition to any other designation established under this title. Use of classifications as to all property which may be included by a historic landmark designation shall continue to be governed by the comprehensive zoning ordinance of the city and the procedures established therein.

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- F. Council may use the following designations for individual buildings, objects, sites or property and which are in an historic district or designated with an "H" overly:
1. Significant historic landmark;
 2. Contributing property; and
 3. Noncontributing property as those terms are defined in Section 20.20.020.
- G. Upon passage of an historic landmark designation ordinance, the city clerk shall file a copy of the ordinance with the city and county tax assessors and in the official records of real property of El Paso County together with a notice verifying H-overlay designation of the subject property. The city clerk shall also send a copy of such notice to the owner or owners of the subject property.
(Ord. 16653 § 2 (part), 2007)

20.20.050 – Procedure for designation of historic landmarks and districts.

In making designations set forth in this chapter, the HLC, the city plan commission, and city council shall consider, but shall not be limited to, one or more of the following criteria:

- A. Character, interest or value as part of the development, heritage or cultural characteristics of the city, state or the United States;
- B. Recognition as a Recorded Texas Historic Landmark, a National Historic Landmark, or entry into the National Register of Historic Places;
- C. Embodiment of distinguished characteristics of an architectural type or specimen;
- D. Identification as the work of an architect or master building whose individual work has influenced the development of the city;
- E. Embodiment of distinguished elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation;
- F. Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on architectural, historic or cultural motif;
- G. Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style;

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- H. Archaeological value, in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest;
- I. Exemplification of the cultural, economic, social, ethnic or historical heritage of the city, state or the United States;
- J. Location as the site of a significant historic event;
- K. Identification with a person or persons who significantly contributed to the culture and development of the city, region, state or the United States.
(Ord. 16653 § 2 (part), 2007)

20.20.060 – Acquisition of historic landmarks.

The following options shall be available to the HLC, for recommendation to the city council of El Paso, for acquisition of historic landmarks buildings, objects, sites and structures of historic, cultural, architectural, archaeological importance which may be but not limited to historic landmarks:

- A. If the HLC finds that buildings, structures, sites, districts, land or structures of other areas cannot be preserved without acquisition or designated as historic landmarks, the HLC shall recommend to city council that the fee simple or lesser property interest of the ~~historic landmark~~ property in question be acquired by gift, devise, purchase, eminent domain, or otherwise pursuant to the city character and state and federal law;
- B. The HLC may recommend to city council, within ten days of the hearing before the HLD, or at the city council's next regular meeting, that the historic landmark or site be acquired. Council will have thirty days to state an affirmative intent to negotiate with the property owner and, if successful, the council shall complete such a purchase within a reasonable time thereafter;
- C. Formulate a program for preservation and public action which will state the role of various city departments in acquisition of historic landmarks or sites;
- D. Suggest sources of funds for preservation and restoration activities and acquisitions, to include federal sources, state sources, private and foundation sources, as well as municipal sources;
- E. Recommend, to the property agencies, incentives designed to encourage historical preservation.

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20.20.070 – Historic landmark recognition.

A. When approved by city council resolution, the HLC may honor property owners with an Historic Building Award. The award will be based on the following:

1. Nominations will be open to the public sector, private sector, and general public each calendar year that funding for the plaques is available. The deadline for submission of nominations will be September 1st. Nomination forms will be made available by the historic preservation officer. An HLC subcommittee may recommend not more than five structures to the HLC. Final decision, by the HLC, will be made at a regularly scheduled meeting;
2. The HLC shall award a maximum of five plaques each calendar year;
3. Criteria for awarding an Historic Building Plaque Award are as follows:
 - a. The building must be at least fifty years old;
 - b. The building must have an H-overlay, be a recorded Texas Historic Landmark, or listed on the National Register of Historic Places;
 - c. The building must have been rehabilitated and/or maintained in good condition, and plans for prepared for the word approved by the HLC, evidenced by issuance of a certificate of appropriateness.
 - d. If the building was rehabilitated using state, federal, or community development block grant funding, plans must have been reviewed and approved by the state historic preservation officer (SHPO).
 - e. At the time of the award, the building must be in compliance with all municipal codes, ordinances, and have no open violations.
 - f. Award winners may be honored at a subsequent city council meeting.
 - g. Recipients are required to display the award in a publicly visible location. on the façade of the structure. Any replacement plaques will be acquired at the owner's expense. If the owner wishes to modify the location of the plaque, the owner may propose a new location to the HLC.

(Ord. 16653 § 2 (part), 2007)

MOTION:

Motion made by Commissioner Skillern, seconded by Commissioners Brock and Longo AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 6:00 P.M.